

The 1999 elections in Guatemala

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On 7 November 1999, something more than half the registered electors of Guatemala cast their votes in presidential, legislative, and municipal elections. Since the transition to democracy in the mid-1980s, Guatemala's citizens have elected four governments — a record in a country with a history of long-lasting military dictatorships. Although turnout rates remain low, the 1999 elections were free and fair. And despite the election of a populist candidate to the presidency, and one formerly aligned with the left, no military faction or business association protested the results. These elections may, then, confirm that competitive politics are here to stay in Guatemala.

1. Constitutional reforms

The 1996 Peace Accords had called for constitutional reforms to ensure that the agreements reached between the National Advancement Party (PAN) and the Guatemalan National Revolutionary Party (URNG) permanently altered Guatemala's political landscape. The reforms included recognizing indigenous languages and customary law, de-militarizing the state, and improving democratic accountability. The Peace Accords recommended freezing the number of deputies, to ensure that the number of seats in the legislature did not expand at the same rate as the population. The peace negotiators also argued against allowing legislators to stand for election after two consecutive terms. Finally, they called for the formation of an electoral commission to reform the Law of Elections and Political Parties.

According to the constitution, Congress must approve all constitutional amendments before submitting them for public approval. Not having an outright majority in Congress, President Arzú was forced to make several compromises to obtain the necessary two-thirds support. As the opposition, the Guatemalan Republican Front (FRG) initially conditioned its support for the reforms on elimination of the constitutional clause preventing former coup leaders — including FRG's leader, Rios Montt — from standing for the presidency. Many PAN deputies, however, were uninterested in reform. Arguably, the party's leadership backed reform principally because financial support from the international community was contingent upon fulfillment of the Peace Accords.

After more than two years of negotiations, Congress approved a package of more than fifty reforms. Legislative logrolling resulted in the proliferation of amendments; in order to get the bill through, the PAN turned it into an omnibus bill pleasing as many different constituencies as possible. In a report issued in June 1998, the Electoral Reform Commission (consisting of

members of Congress and the Supreme Electoral Tribunal) recommended against adopting term limits or capping the number of deputies. As finally approved by Congress, the bill contained a measure actually increasing the number of deputies to ensure that each department would have at least two representatives.

To almost universal surprise, voters rejected the proposed reforms in the 16 May 1999 referendum. The status quo was ratified by 55% to 45% (but with only 18.6% of registered electors casting a vote). The most heavily indigenous parts of the country voted in larger numbers and were typically in favour of reform. However, widespread expectation of success seems to have discouraged supporters of reform from mobilizing to counter a last-minute conservative drive to defeat the constitutional amendments.¹ Had the institutional reforms simply been another issue in the 1999 election campaign, it seems very likely that they would have passed.

The Electoral Reform Commission has also proposed a large number of other changes to existing electoral legislation.² Several revolved around modernising the language of the law and eliminating potential inconsistencies. Among its more substantive proposals, the Commission called for overhauling the electoral registry to create a national, computer-based, photographic ID card system. A new study estimates that officials have not expunged the names of hundreds of thousands of citizens who have moved to the US or who have died. Its calculations suggest that the registry contains 25% more names than it should. The study also points out that 36.3% of eligible voters are not registered to vote — many more than previously thought.³ The Electoral Commission also recommended that polling stations be located throughout a municipality, not just in the municipal capital. As there is a significant (negative) relationship between municipality size and turnout, this particular reform may go a long way towards increasing political participation in Guatemala.⁴ However, as of mid-October 2000, the commission's report remains stuck in committee and unapproved.

2. Electoral laws

According to the constitution, voters cast district-level and national-level ballots. In the 1985 and 1990 elections, the parties' shares of the vote in the first round of the presidential election determined the allocation of "national deputies". In 1995, however, Congress approved enabling legislation for the Law of Elections and Political Parties requiring citizens to use a separate ballot

¹ See especially pp. 5–10 of Azpuru, D., 1999. La consulta popular: un voto dividido. In: Azpuru, D. et al., La Consulta Popular y el Futuro del Proceso de Paz en Guatemala. Latin American Program, Woodrow Wilson International Center for Scholars, Washington, DC. See also: Chapter 8 in Jonas, S., 2000. Of Centaurs and Doves: Guatemala's Peace Process. Westview Press, Boulder, CO; McCleary, R., 1999. Dictating Democracy: Guatemala and the End of Violent Revolution. University of Florida Press, Gainesville. A copy of the reforms can be found at the Political Database of the Americas on <http://www.georgetown.edu/pdba/Constitutions/Guate/reforms99.html>.

² Comisión de Reforma Electoral, 2000. Guatemala, Paz y Democracia: Informe de la Comisión de Reforma Electoral, 2nd ed. Litografía CIFGA, Guatemala City.

³ See pp. 46–58 of Boneo, H., Torres-Rivas, E., 2000. ¿Por qué no votan los guatemaltecos? Estudio de participación y abstención electoral, IDEA, Tribunal Supremo Electoral, PNUD, Guatemala City.

⁴ See Wall, D., Lehoucq, F., 1997. Social and Spatial Correlates of Turnout in Guatemala: the 1985 Elections. In: Robinson, D. (Ed.), Conference of Latin Americanist Geographers Yearbook 23. University of Texas Press, Austin. Also, Lehoucq, F., Wall, D., 2000. Voter Turnout in New Democracies: Guatemala. Unpublished manuscript, which covers elections between 1985–1995.

for national deputies. The number of national deputies is equivalent to 25% of all district deputies. In 1999, the 21 departments and the Metropolitan District of Guatemala City together elected 91 “district deputies” to Congress. In national and district contests the d’Hondt method of proportional representation allocates seats to parties. The 1994 constitutional reforms also reduced the length of legislative terms from five to four years. The constitution does not limit the number of times deputies can be re-elected. Deputies are eligible to stand for re-election.

Presidential elections are determined by an absolute majority. If no candidate wins an outright majority of the valid vote (total number of votes minus blank and null votes), the 1985 constitution empowers the Supreme Electoral Tribunal to convene a runoff election between the two candidates with the largest shares of first-round votes. The 1994 constitutional reforms reduced the five-year executive term to four years, and prevented incumbents from running for re-election.

3. Electoral campaign

The principal candidates in the presidential election were Óscar Berger (PAN) and Alfonso Portillo (FRG). Like the incumbent president, Alvaro Arzú (PAN), Berger had become well known during two successful terms as mayor of Guatemala City. Having signed the 1996 Peace Accords with the guerrillas, and modernised the dilapidated road system, the PAN distinguished itself from the administrations led by Cerezo (1986–90), Serrano (1991–3), and Ramiro de León (1993–5). With the exception of de León — selected to complete Serrano’s term after the latter fled the country following his failure to elicit the support of the military to close Congress — Arzú’s predecessors had been accused of rampant corruption and authoritarian tendencies. Hence, at the start of the campaign, the PAN was confident that its less tainted reputation would deliver victory.

For Portillo, the 1999 campaign was his second presidential bid. He had forced Arzú to a runoff in 1995, but thereafter tied his fortunes to the FRG. The party was led by (former) General Efraín Ríos Montt, a charismatic, populist, and right-wing figure. Montt, however, was precluded from standing for high office: having come to power in a coup in 1982, the 1985 constitution barred him from becoming president. In a peculiar alliance between a former leftist and an ex-general accused of massive human rights abuses, the FRG ran what, in the end, turned out to be a successful electoral campaign.

Both the PAN and the FRG started the campaign with similar levels of public support. In April 1999, polling data⁵ show that the two parties were supported by 29% and 21% of the electorate, respectively. By October, the FRG had increased its support level to 46%. After six months of campaigning, however, the PAN remained stuck on 29% support.⁶ Why?

The answer seems to be that the FRG persuaded a majority of voters that it would be more likely to revive economic growth and to reduce crime, the two issues which Guatemalans professed to

⁵ Borges and Associates, a Costa Rican polling company.

⁶ In April, 38% of respondents claimed that they would be filing blank or null votes. By October this proportion had fallen to 12%. All data are from Borges y Asociados, 1999 (unpublished reports). Encuesta Nacional de Opinión Pública. Each survey drew upon a national sample of 1,233 respondents with a margin of error of $\pm 2.8\%$.

care about the most.⁷ Although neither party openly attacked structural adjustment, the FRG managed to portray its rivals as the party of privilege. Most electors seem to have agreed: according to a December 1999 survey, 66% of respondents believed that another PAN administration would “defend the interests of the rich”.⁸ Both Rios Montt and Portillo came across as candidates more capable of dealing with crime. Since his days of leading military campaigns, Rios Montt had successfully cultivated his appeal as a law-and-order candidate. That Portillo had killed a man in self-defense while living in Mexico only reinforced perceptions that he, along with other FRG leaders, could solve the problem of crime.

4. Election results

In the first round of the presidential election, Alfonso Portillo won 47.7% of the vote to Berger’s 30.3%. The remaining votes were split between nine other candidates, only one of whom achieved more than 4%. In the runoff election, held on 26 December, Portillo won 68.3% against Berger’s 31.7%. The final tallies for all the presidential candidates are shown in Table 1.

In the legislative elections, out of the 113 seats, the FRG won 63 and the PAN 37. The New Nation Alliance–Guatemalan National Revolutionary Unity (ANN–UNRG), the party representing progressive groups and the former left-wing guerrillas, secured 9 seats. Three other parties shared the four remaining Congressional seats, one winner being the former Christian Democratic President, Vinicio Cerezo (1986–90). Table 2 summarises the results.

5. Political challenges

After decades of authoritarian rule, Guatemala faces severe social and economic problems. In the 1990s, almost 40% of the population were struggling to survive on less than US\$1 a day. In 1997, life expectancy was 67 years; in 1998, 31% of the adult population was illiterate; and GDP per capita remains low (US\$ 3,505). The UN Development Programme gave Guatemala 0.619 on the Human Development Index in 1998, placing it 120th among the 174 countries of the world.⁹

Since the 1996 Peace Accords, politicians have accelerated investment in human

⁷ In 1999, 56% and 28% of respondents cited economic well-being and crime as the most important issues facing Guatemala. Since 1993, the proportion of respondents ranking crime as the country’s principal problem has increased more than four-fold. Data from Development Associates, Inc., the University of Pittsburgh, and the Asociación de Investigación y Estudios Sociales (ASIES), 2000. *La cultura democrática de los Guatemaltecos: cuarto estudio 1999*.

⁸ Borge y Asociados, 1999 (unpublished reports). *Encuesta Nacional de Opinión Pública*.

⁹ Dollar a day figures and national GDP and HDI rates are from UN Development Programme, 2000. *Human Development Report 2000*. Oxford University Press, New York. All other rates are from Sistema de Naciones Unidas en Guatemala, 1999. *Guatemala: el rostro rural del desarrollo humano 1999*, pp. 230, 242.

Table 1
Results of the 1999 presidential election in Guatemala^a

Candidate and Party	Presidential Valid vote %	Runoff Valid vote %
Alfonso Antonio Portillo Cabrera Guatemalan Republican Front (FRG)	47.7	68.3 1,185,160
Óscar Berger Perdomo National Advancement Party (PAN)	30.3	31.7 549,936
Álvaro Colom Caballeros New Nation Alliance–Guatemalan National Revolutionary Union (DIA–URNG)	12.4	–
Danilo Julián Roca Barillas National Union of the Center (UCN)	1.1	–
Ana Catalina Soberanis Reyes Guatemalan New Democratic Front (FDNG)	1.3	–
Juan Francisco Bianchi Democratic Reconciliation Action (ARDE)	2.1	–
José Enrique Asturias Rudeke The Green Organization–Democratic Union (LOV–UD)	1.2	–
Flor de María Alvarado Suárez de Solís National Reconciliation Alliance (ARENA)	0.1	–
Carlos Humberto Pérez Rodríguez National Liberation Movement (MLN)	0.6	–
Emilio Eva Saldivar Democratic Action (AD)	0.2	–
Acisclo Valladares Molina Progressive Liberator Party (PLP)	3.2	–
Valid Votes	91.4 2,191,512	96.4 1,735,096
Blank Votes	3.6 85,912	0.6 10,213
Null Votes	5 119,788	3.1 55,367
Total Votes	2,397,212	1,800,676
Turnout (Total Votes/Registered Voters)	53.8	40.4

^a Source: *Tribunal Supremo Electoral* (<http://www.tse.org.gt/elecciones99>).

development. The PAN government had massively increased spending on infrastructure and social programs by the end of Arzú's term in office. Yet spending on development remains limited because central government revenues amount to less than 10% of total GDP, placing Guatemala among the least-taxed countries in the world.¹⁰ Although the Peace Accords required the government to increase levels of taxation, that has not been implemented, partly due to the lack of administrative capacity but also owing to a tradition that deems taxes on property and income to be assaults on

¹⁰ Sistema de Naciones Unidas en Guatemala, 1999. Guatemala: el rostro rural del desarrollo humano 1999, pp. 37–43.

Table 2
Results of the 1999 legislative elections in Guatemala^a

Party	National	District ^b	Number of Legislative Seats
	No. of Votes No. of Seats	No. of Seats	
Guatemalan Republican Front (FRG)	891,429 11	52	63
National Advancement Party (PAN)	570,108 7	30	37
New Nation Alliance–Guatemalan National Revolutionary Union (DIA–URNG)	233,870 2	7	9
Guatemalan Democratic Christians (DCG)	86,839 1	0	1
Progressive Liberator Party (PLP)	84,197 1	1	2
The Green Organization–Democratic Union (LOV–UD)	48,184 0	1	1
Others	203,245 0	0	0
Valid Votes	2,117,872	2,127,378	
Total Number of Seats	22	91	113
Blank Votes	125,108	117,676	
Null Votes	153,903	150,573	
Total Votes	2,396,883	2,395,627	
Turnout (Total Votes/Registered Voters)	53.8%	53.7%	

^a Source: Tribunal Supremo Electoral (<http://www.tse.org.gt/elecciones99>).

^b National vote totals not included because seats are allocated to parties in 22 separate districts.

individual rights. Tax reform is therefore enmeshed in seemingly endless legal disputes. Although reform has probably led to the more efficient use of public money in the 1990s, political and economic constraints limit the government's ability to educate the population, to improve public health, and to invest in physical infrastructure.

In a context of economic underdevelopment, state neglect leads to low levels of support for democracy in Guatemala. According to the 1996 Latinobarómetro, Guatemala's citizens evaluate democracy less positively than in any of the other eighteen Latin American countries surveyed.¹¹ This helps to explain low turnout rates which, in turn, discourage public officials from addressing deep-seated inequalities; and then, in turn, the absence of effective public policies contributes to political apathy. The public's lack of interest in politics seemingly encourages politicians to concentrate on jockeying for position, rather than on competing to outperform each other before a citizenry demanding accountability from its public officials.

Despite its populist commitments, the new administration seems to be reverting to old practices. The press is full of reports of the competition for jobs and the perks of office between the portillista and the riosmontista factions of the FRG. By mid- 2000, the PAN had fallen apart; except for a handful (some eight or nine), most PAN deputies had formed a new party known as the Union Party. Given the government's inability to stem crime, communities and groups throughout Guatemala continue to take justice into their own hands by burning or lynching

¹¹ Marta Lagos, 1997. Latin America's Smiling Mask. *Journal of Democracy* 8, 125–138.

criminal suspects. In early June 2000, in a move that may reactivate institutional reform and improve political accountability, FRG deputies called for the election of a Constituent Assembly to produce a new constitution. However, reform may yet again be stopped in its tracks by Portillo's call to overturn the clause that prevents Rios Montt from running for high office. Faced with the possibility of the FRG leader's election to the presidency, the opposition may unite to endorse the status quo.

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